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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/605,783	06/27/2000	Jiangchun Xu	210121.427C16	4968

7590

05/19/2003

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EXAMINER

JOHANNSEN, DIANA B

ART UNIT

PAPER NUMBER

1634

DATE MAILED: 05/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Responsive Amendment

1. This application has been transferred from Examiner Janell Taylor Cleveland to Examiner Diana Johannsen. The application is still assigned to Art Unit 1634.
2. The reply filed on January 29, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s). See 37 CFR 1.111.

Applicant has amended the claims under consideration to recite SEQ ID NO: 113 in lieu of SEQ ID NO: 110 (and has also added claims reciting SEQ ID NO: 113 but not SEQ ID NO: 110). However, as was indicated by Examiner Cleveland in paper no. 14, SEQ ID NO: 113 was not recited in the elected claims. Further, Applicant subsequently amended the claims to recite SEQ ID NO: 110, and Applicant has received an Office action in which claims reciting SEQ ID NO: 110 (but not SEQ ID NO: 113) were examined. *MPEP* 819 states that "The general policy of the Office is not to permit the applicant to shift to claiming another invention after an election is once made and action given on the elected subject matter." Accordingly, Applicant's reply, which amends the claims such that they are drawn to non-elected subject matter, is not fully responsive.

3. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Diana B. Johannsen whose telephone number is

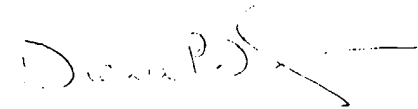
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703/305-0761. The examiner can normally be reached on Monday-Friday, 7:30 am-4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, W. Gary Jones can be reached at 703/308-1152. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9307 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703/308-0196.



Diana B. Johannsen
May 15, 2003



GREGORY J. MYERS
PRIMARY EXAMINER